

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN  
DISTRICT OF ILLINOIS, EASTERN DIVISION**

<b>BOARD OF TRUSTEES OF THE</b>	)	
<b>NORTHERN ILLINOIS BENEFIT</b>	)	
<b>FUND, BOARD OF TRUSTEES OF</b>	)	
<b>THE NORTHERN ILLINOIS PENSION</b>	)	
<b>FUND, BOARD OF TRUSTEES OF THE</b>	)	
<b>NORTHERN ILLINOIS EDUCATION</b>	)	
<b>FUND, BOARD OF TRUSTEES OF</b>	)	
<b>THE NORTHERN ILLINOIS</b>	)	
<b>RETIREMENT FUND,</b>	)	<b>2010-CV-3106</b>
	)	<b>Hon. Judge Ruben Castillo</b>
<b>Plaintiffs,</b>	)	<b>Magistrate Judge Mason</b>
<b>v.</b>	)	
	)	
<b>B &amp; K PLUMBING, INC., and Illinois</b>	)	
<b>Corporation,</b>	)	
	)	
<b>Defendants.</b>	)	

**PLAINTIFFS' MOTION TO REOPEN CASE  
AND TO GRANT JUDGMENT ORDER BASED  
ON DECLARATION**

Plaintiffs, the BOARD OF TRUSTEES OF THE NORTHERN ILLINOIS BENEFIT FUND, BOARD OF TRUSTEES OF THE NORTHERN ILLINOIS PENSION FUND, BOARD OF TRUSTEES OF THE NORTHERN ILLINOIS EDUCATION FUND AND BOARD OF TRUSTEES OF THE NORTHERN ILLINOIS RETIREMENT FUND, by and through their attorneys, L. STEVEN PLATT and ARNOLD and KADJAN, move as follows:

1. This action was filed on May 19, 2010.
2. By order of this court, dated May 20, 2010, this court ordered the defendant to file a responsive pleading when served with the complaint and indicated that this matter would be handled administratively.

3. The court also administratively dismissed this case with leave to reopen should the plaintiff's need assistance to have the court enter a final judgment.

4. The defendant was served on June 2, 2010 and proof of service was filed with the court on June 23, 2010.

5. Based on the date of service, the defendant was supposed to file an appearance or at least a responsive pleading per this court's May 20, 2010 order on or about June 23, 2010.

6. Defendant did not do so and therefore is in default.

7. Plaintiffs got the audit back from the auditor and the audit shows that defendant owes \$27,201.55 in unpaid fringe benefits plus penalties.

8. Defendant has not paid this amount.

9. They never filed a responsive pleading and are therefore in default.

10. Plaintiffs therefore ask this court to entertain a default and judgment order motion, reopening this case to enter judgment against the defendants in the amount of \$27,201.55. See Declaration of Auditor attached as Exh. A.

WHEREFORE, plaintiffs asks for the relief indicated above.

**Respectfully Submitted  
BOARD OF TRUSTEES  
OF THE PLUMBERS AND PIPE  
FITTERS, LOCAL 422 UA et al.**

**By: /s/ L. Steven Platt**